

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JASON G. STOOPS,

Defendant.

8:17CR155

MEMORANDUM AND ORDER

This matter is before the Court on the Defendant's "Motion for Reduction of Sentence Pursuant to 18 U.S.C. 3582(c)(1)(A)," ECF No. 52. The Defendant seeks a reduction of his sentence pursuant to 18 U.S.C. § 3582(c)(1)(A) as amended by Section 603 of the First Step Act, Pub. L. No. 115-391, 132 Stat. 5194 (2018), specifically to a term of time served.

In Section 603 of the First Step Act, Congress amended 18 U.S.C. § 3582(c)(1)(A) to permit defendants to move a sentencing court for compassionate release "after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier."

The Defendant acknowledges that he has not exhausted any administrative remedies within the Bureau of Prisons, and he argues that such exhaustion should be unnecessary in emergency situations. He notes that his ex-wives are not earning income and his children need his financial assistance. He also expresses concern about the potential spread of the coronavirus.

This Court will not entertain the Defendant's request for compassionate release until his administrative remedies have been exhausted. Accordingly,

IT IS ORDERED:

1. The Defendant's "Motion for Reduction of Sentence Pursuant to 18 U.S.C. 3582(c)(1)(A)," ECF No. 52, is denied without prejudice to resubmission following exhaustion of administrative remedies; and
2. The Clerk will mail a copy of this Memorandum and Order to the Defendant at his last known address.

Dated this 4th day of May 2020.

BY THE COURT:

s/Laurie Smith Camp
Senior United States District Judge